

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO**

MINNIE TAYLOR, Individually and as  
Personal Representative of the ESTATE OF  
LOUIE TAYLOR, and HAROLD CUTHAIR,

Plaintiffs,

v.

No. 21-cv-00613-GJF-JFR

THE UNITED STATES OF AMERICA,

Defendant.

**DECLARATION OF BRENDA GONZALES**

I, Brenda Gonzales, do declare as follows:

1. I am the Special Agent in Charge of the Bureau of Indian Affairs (“BIA” or the “Agency”) Office of Justice Services (“OJS”), District IV, located in Albuquerque, NM. I am over the age of twenty-one and competent to make this declaration. I make this declaration on personal knowledge and a review of the records regularly maintained by the Agency and available to me in my regular course of business.

2. In my capacity as Special Agent in Charge, I supervise District IV, including supervision of the Awarding Officials Technical Representative (“AOTR”) for District IV’s contracts pursuant to the Indian Self-Determination and Educational Assistance Act (“ISDEAA”) Public Law 93-638. Prior to being the Special Agent in Charge, I was previously assigned as the AOTR for District IV’s contracts pursuant to the Indian Self-Determination and Educational Assistance Act (“ISDEAA”) Public Law 93-638, including the Navajo Nation 638 Contracts for Corrections Services and Law Enforcement Patrol Services.

3. Accordingly, I have knowledge of the Navajo Nation 638 Contracts for Corrections Services and Law Enforcement Patrol Services between the United States, acting through BIA OJS, and the Navajo Nation (the “638 Contracts”). These 638 Contracts governed the Navajo

Nation Department of Public Safety's provision of police services and the Navajo Nation Department of Corrections' provision of corrections services in Shiprock, NM, at the time of the incident at issue in this case.

4. A true and correct copy of excerpts of the Navajo Nation 638 Contract for Corrections Services is attached hereto as Exhibit D1.

5. Pursuant to the 638 Contracts, the BIA OJS Law Enforcement Handbook and BIA OJS Corrections Handbook, respectively, were applicable to the police and corrections officers in this case.

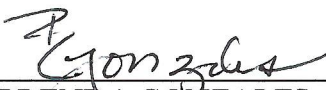
6. A true and correct copy of excerpts of the BIA OJS Law Enforcement Handbook is attached hereto as Exhibit D2.

7. A true and correct copy of excerpts of the BIA OJS Corrections Handbook is attached hereto as Exhibit D3.

8. I understand that since 1992, the Navajo Nation Department of Corrections has been governed by a consent decree that was entered by the Navajo Nation Tribal Court in the case *Silver v. Pahe* (the "Consent Decree"), which is also referenced in the 638 Contract for Corrections Services. The BIA does not consider the Consent Decree to be a Federal regulation, statute or mandate. Nor does the BIA consider its provisions and any directives stemming from it to be federal mandates.

I declare under penalty of perjury that the foregoing is true and correct. 28 U.S.C. § 1746.

Dated this 28<sup>th</sup> day of April 2022.

  
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BRENDA GONZALES  
Special Agent in Charge